

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA

FILED  
APR 21 2009

JOHN F. CORCORAN, CLERK  
BY: *S. Clapp*  
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STEVEN L. FRETWELL,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

Civil Action No. 5:08CV00012

**FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable James G. Welsh, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered, affirming the final decision of the Commissioner, granting summary judgment to the defendant, and denying plaintiff's claim. Objections to the report and recommendation have not been filed, and the court, upon review of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the final decision of the Commissioner is **AFFIRMED**, summary judgment is **GRANTED** to the defendant, plaintiff's claim is **DENIED**, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This April 21, 2009.

  
UNITED STATES DISTRICT JUDGE